

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas E. Creamer Confirmation No.: 4173
Application No.: 10/736,025
Date Filed: December 15, 2003
Group: 2145
Examiner: Goodchild, William J.
Docket No.: BOC9-2003-0069 (440)

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Thomas E. Creamer, a citizen of the United States, residing in Boca Raton, Florida, hereby declare and state as follows:

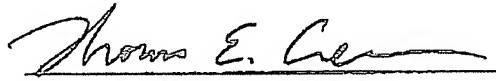
1. I was employed by International Business Machines Corporation (IBM) of Armonk, New York at the time the above-identified application was conceived. I make this declaration in support of the above-identified application.
2. IBM has invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).
3. As a named co-inventor for this invention, I and my co-inventors prepared and submitted the attached Invention Disclosure No. BOC8-2003-0047 (hereinafter "Invention Disclosure") pursuant to IBM guidelines.
4. The Invention Disclosure was originally submitted for consideration to an IBM Attorney/Patent Professional for preparation of a patent application on February 23, 2003, and was insubstantially modified on March 13, 2003. The content of the Invention Disclosure has not been subsequently modified. The Invention Disclosure represents a fully conceived and workable invention as written. I reviewed the claims of the above-mentioned patent application prior to submission of the application to assure the claimed invention was fully supported by the

Invention Disclosure in light of the Invention Disclosure and art known at the time of the disclosure.

5. I diligently worked with outside counsel to prepare and file the above-mentioned patent application.

6. I make this Declaration to establish that my co-inventors and I conceived of the present invention at least as early as February 23, 2003, and exercised due diligence from that date to the date of filing for the above-identified patent application.

7. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.


Thomas E. Creamer

Date: 9-19-2007

EXHIBIT "A"

6169-440



Disclosure BOC8-2003-0047

Prepared for and/or by an IBM Attorney - IBM Confidential

Created By Bill H Hilf On 02/23/2003 12:03:24 PM MST

Last Modified By Bill H Hilf On 03/13/2003 03:22:20 PM EST

Required fields are marked with the asterisk (*) and must be filled in to complete the form .

*Title of disclosure (in English)

System and Method for Generating Templated Weblogs from Interactive Communication Client Software

Summary

Status	Under Evaluation
Final Deadline	
Final Deadline Reason	
*Processing Location	SWG1
*Functional Area	select (SWG1) SWG Solutions and Integration (Tempelmeyer)
Attorney/Patent Professional	Richard Tomlin/Boca Raton/IBM
IDT Team	select Sandra Garcia/Austin/Contr/IBM James Smith/Austin/IBM Leonel Machuca/Austin/Contr/IBM
Submitted Date	03/12/2003 02:57:52 PM MST
*Owning Division	select SWG1
Incentive Program	
Lab	
*Technology Code	SWG1

Inventors with a Blue Pages entry

Inventors: Bill H Hilf/Los Angeles/IBM, Craig Swearingen/Austin/IBM@IBMUS, Tom Creamer/Fort Lauderdale/IBM, Neil Katz/Fort Lauderdale/IBM

Inventor Name	Inventor Serial	Div/Dept	Inventor Phone	Manager Name
> Hilf, Bill H.	0211004	01/EE	2255501	01/General Manager (Crawford)
Swearingen, Craig A.	0226008	01/AZ	01/20214	Walden Batts
Creamer, Thomas E.	0500418	01/EE	01/20214	Winters, Scott
Katz, Neil	0102010	02/01	01/20214	01/General Manager (Crawford)

> denotes primary contact

Inventors without a Blue Pages entry

IDT Selection

Attorney/Patent Richard Tomlin/Boca Raton/IBM

Professional

IDT Team

Sandra Garcia/Austin/Contr/IBM

James Smith/Austin/IBM

Leonel Machuca/Austin/Contr/IBM

Response Due to IP&L 04/13/2003

***Main Idea**

1. Background: What is the problem solved by your invention? Describe known solutions to this problem (if any). What are the drawbacks of such known solutions, or why is an additional solution required? Cite any relevant technical documents or references.

On-line publishing through Web logs, aka 'blogs', has become an increasingly significant form of on-line communication and information distribution. Weblogs are frequently updated, with items typically appearing in reverse chronological order (the most recent postings appear first). Typically weblog entries include topical communication, links to other Web pages, and the types of weblogs are as diverse as the content on the Web itself. Many weblogs invite feedback through discussion postings, and weblogs often point to other weblogs in an ecosystem of news, opinions and ideas. Frequently, many weblogs are deployed internally for corporate groups, departments, and project teams.

There exist tools and protocols for creating and managing weblogs. However, as interactive communication software, such as instant messaging (IM), continues to grow as a key method for electronic communication, there is a need to enable and integrate with the rapidly growing weblog publishing environments. The invention described is a system and method to couple the developing fields of interactive electronic communication, such as IM, with weblog publishing.

2. Summary of Invention: Briefly describe the core idea of your invention (saving the details for questions #3 below). Describe the advantage(s) of using your invention instead of the known solutions described above.

The invention is a method for coupling interactive communication client software with weblogs in an automated and templated system. The method allows for 'autoblogging' of communication from interactive communication client software, such as instant messaging clients, utilizing an intermediary server or agent which processes the interactive communication and formats the communication for the weblog based on defined templates.

The intermediary server or agent processes and formats the interactive communication (such as an IM transcript) for the desired user or group based on a predefined template. The template also includes other format data, such as weblog API to use, destination to post to, weblogs to announce to, etc. The method provides the ability to publish an interactive communication to multiple weblogs, either predetermined via a parent template or run-time through the submission or posting of the communication to the intermediary server or agent.

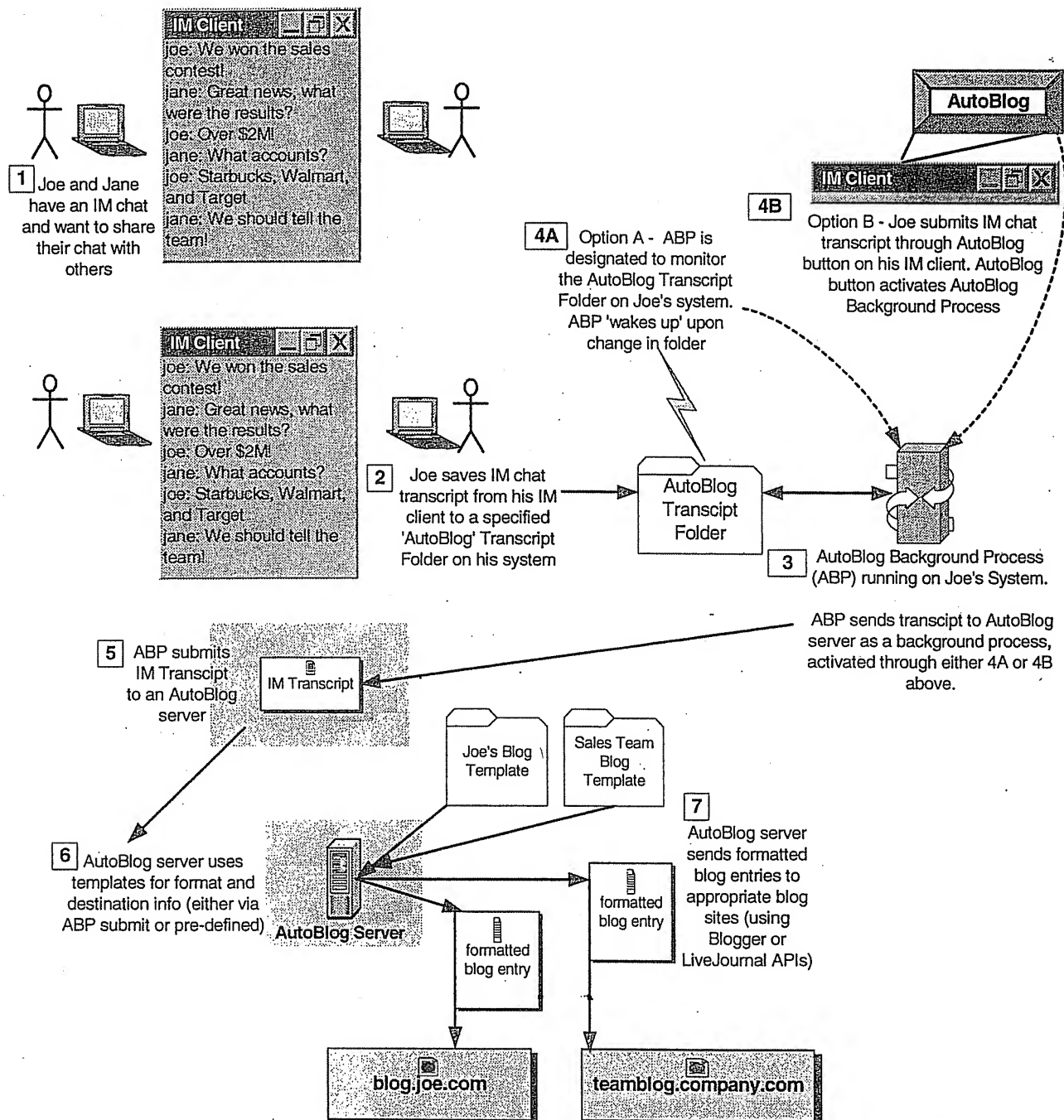
The advantage of this system is integrated functionality for weblog publishing in interactive communication client software which can be applied passively or actively (see section 3 below). Further, the system provides for template-driven format and publication of this interactive communication into a variety of styles and destinations.

3. Description: Describe how your invention works, and how it could be implemented, using text, diagrams and flow charts as appropriate.

The following diagrams describe the steps in the method, using instant messaging as the primary scenario. Diagram A below describes two methods for activating the AutoBlog Background Process - either passively (4A, a separate process running which monitors for changes in a particular AutoBlog Transcript Folder) or interactively (4B, an 'AutoBlog' button integrated into the IM client which would

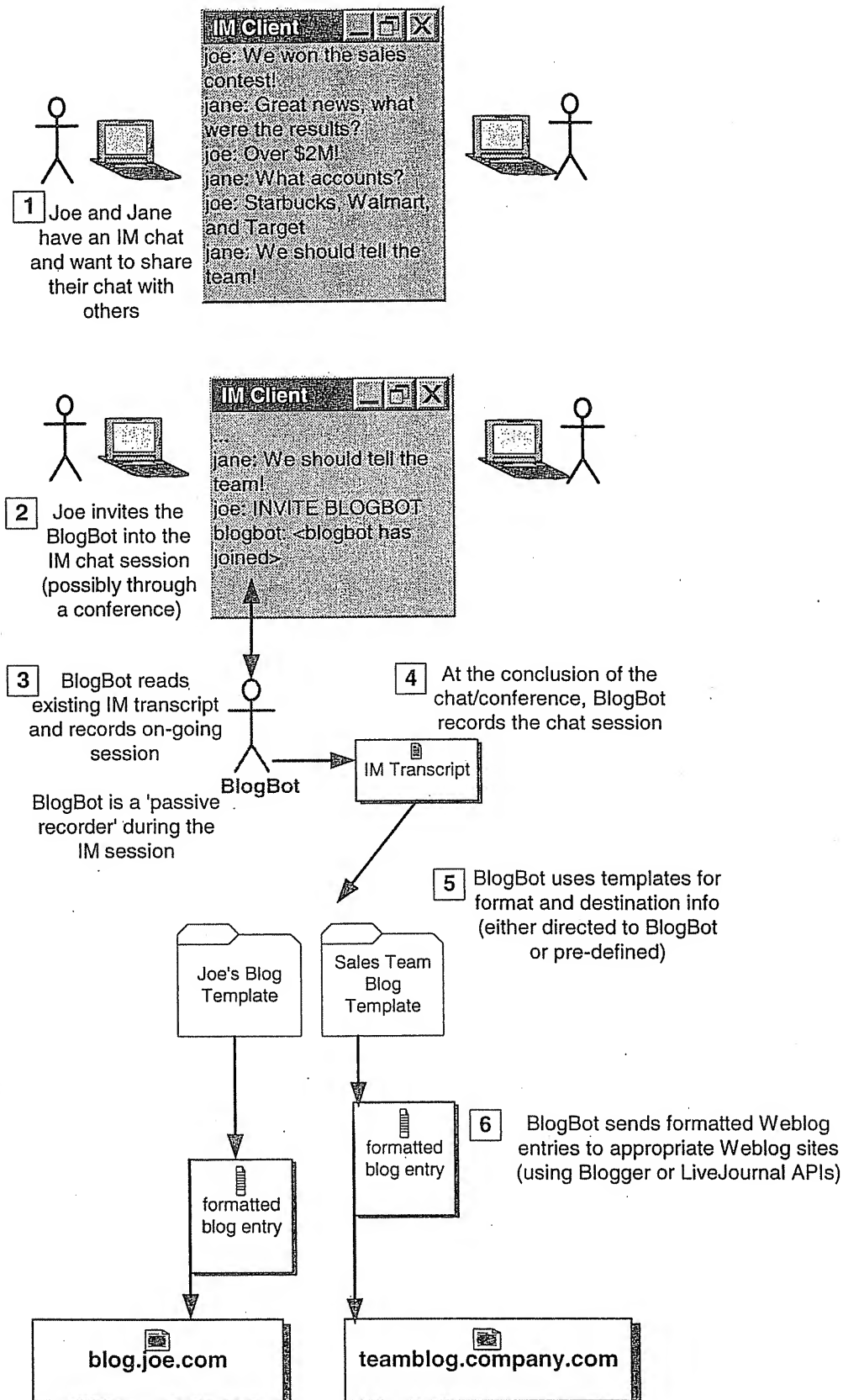
real-time activate the AutoBlog Background Process).

DIAGRAM A



Another possible method is to use an intermediary agent, or "BlogBot", represented as an IM user. The BlogBot could be included in a chat session (e.g., include the BlogBot in a conference) and it would record all interactions. At the conclusion of the session/conference, the BlogBot would then go through the process to record the chat session and save it as a Weblog. Diagram B below describes this scenario:

DIAGRAM B



Alternative paths in Diagram A or B could include:

- * Establishing a BlogBot which is instantiated to record all IM sessions (possible configured in an IM users profile). At the conclusion of an IM session the BlogBot could automatically create the Weblog or 'pop-up' a window asking the user if they would like to save the session as a Weblog. This could avoid the need to explicitly invite the BlogBot.
- * Policy-driven BlogBot behavior to initiate AutoBlogging process based on specific users or key words used during the IM session.

~~* Patent Vetting~~

~~* 1. Select the single most appropriate technology category for your invention from which following technology list.~~

~~(770) IBM Web Network Computing, 770 Internet Specific Technology and Internet Specific Security, Web Browsers, Agents, User Interactive Technology, Enterprise Computing, on the Internet~~

~~Comments:~~

~~Are there any additional significant markets where the invention is likely to have impact?~~

~~☒ Yes ☐ No~~

~~Please identify them:~~

~~Collaborative technology~~

~~* 2. Have you implemented the invention (e.g., made a prototype) or otherwise shown that it is workable?~~

~~☐ Yes ☒ No~~

~~* 3. Has the subject matter of the invention or a product incorporating the invention been offered for sale, or is it likely to be offered for sale as part of an IBM product or service?~~

~~☒ No known product plans within 2 years~~

~~☐ Maybe, 6-12 months away~~

~~☐ Yes, 6-12 months~~

~~☐ Yes, 6-12 months~~

~~☐ Yes, product has been announced~~

~~* 4. Has the invention been commercially used (internally or externally) by IBM or another entity (e.g., included in or used to make products, or provided to customers)?~~

~~☐ Yes ☒ No~~

~~* 5. In what type of product might a competitor include the invention?~~

~~Collaborative or Interactive Communication Software, Weblog generation software~~

~~What competitor(s) (indicate home country of such competitors if not United States)?~~

~~AOL, IM, Microsoft, Netscape, other Weblog software providers~~

~~* 6. How easily can the use of the invention by a third party be detected?~~

~~☐ Undetectable; third party must admit use for IBM to know~~

~~☐ Difficult, e.g., with reverse engineering or examination of available code~~

~~☐ With work requiring test cases, but not reverse engineering~~

~~☒ Easily, by running & viewing product operation~~

~~☐ Trivially, without purchase of product, e.g., by reading product literature~~

Please propose how a test would be performed and what test methods may be required:

Examination of Interactive Communication Software or examination of Weblogs

7. Is the invention applicable to a standard?

☐ Yes ☒ No

8. Have you, or any of the other inventors, submitted this invention disclosure or a similar invention disclosure previously?

☐ Yes ☒ No

9. Please list the invention disclosures (previously submitted or about to be submitted), products, patents, or publications that you and the other inventors feel are the most relevant to your invention (excluding the problem you are solving, including other solutions to the problem), be they from you or anyone else, with the applicable date of invention.

10. Was the invention made in the course of any activity that involved any other party, be it

- ☒ The government
- ☒ A customer (such as an FPO)
- ☒ A developer or partner
- ☒ An alliance
- ☒ Any contract activity
- ☒ A standard or standard setting activity
- ☒ Other persons not employed by IBM

☐ Yes ☒ No

11. Have you ever disclosed your invention to anyone outside IBM, or do you plan to do so in the future?

☐ Yes ☒ No

12. If the invention relates to a product or service that is outside the scope of your business, please recommend IBM Business Unit(s), IBM location(s), or individual(s) within IBM that you think would provide the most relevant review of your invention.

Let us hear from you.

IBM

Post Disclosure Text & Drawings

Form Revised 09/01/02)



EXHIBIT "B"

8051 Congress Avenue
Boca Raton, FL 33487

Cell 9-440

Bar 12/20/03

July 8, 2003

Akerman, Senterfitt
222 Lakeview Avenue
4th Floor
West Palm Beach, FL 33401

REF: Invention Disclosure: BOC8-2002³-0047
Title: System and Method for Generating Templated Weblogs from Interactive
Communication Client Software
IBM Docket: BOC9-2003-0069

Dear Kevin,

Please prepare and file the above referenced case with the U.S. Patent and Trademark Office. A copy of the invention disclosure, patentability search results and inventor's comments are enclosed for your use in preparation of the application in accordance with IBM's format.

Although a bar date does not apply to this docket, please file the application prior to December 20, 2003 to meet our year-end filings for the Tempelmeyer organization.

Sincerely,

Richard A. Tomlin
Intellectual Property Law Department
(561)862-2732

Enclosures

JUL - 8 2003

EXHIBIT "C"

Alaine Allison - Draft Patent Application (BOC9-2003-0069; 6169-440)

From: Kevin T. Cuenot
To: Creamer, Thomas E.; Hilf, Bill H.; Katz, Neil A.; Swearingen, Craig A.
Date: 11/29/2003 11:02 AM
Subject: Draft Patent Application (BOC9-2003-0069; 6169-440)
CC: Allison, Alaine; esquim@us.ibm.com; Venturelli, Elaine

RE: Draft Patent Application for METHOD, SYSTEM, AND APPARATUS FOR GENERATING WEBLOGS
FROM INTERACTIVE COMMUNICATION SOFTWARE
IBM Docket No. BOC9-2003-0069; Our Reference No. 6169-440

Dear Inventors:

Attached please find a draft of a patent application and associated drawings for your review in the above-identified matter. Please review the application carefully to ensure that the description of the invention accurately recites all of the invention's characteristics in the broadest possible manner, while also explaining, in detail, the preferred embodiment of the invention. The drawings should also be reviewed to confirm that they accurately depict the various details of the invention as you and your co-inventors understand them.

Importantly, please ensure that each inventor named on the cover sheet of the patent application has contributed to the conception of your invention as described in at least one of these claims. If, for some reason we have neglected to list an inventor who has contributed to the conception of subject matter described in a claim, please so advise us immediately.

Once you have reviewed the draft application, please forward your comments and/or any suggestions you may have.

Please keep in mind that we have been asked by the IP Law Department to file the referenced patent application in the U.S. Patent and Trademark Office on or December 15, 2003, and as such, would appreciate your prompt attention to this request.

Very truly yours,

AKERMAN SENTERFITT

Kevin T. Cuenot
Akerman Senterfitt
222 Lakeview Avenue, Suite 400
West Palm Beach, FL 33401
(561) 671-3658 (Phone)
(561) 659-6313 (Fax)
E-Mail: kcuenot@akerman.com

Alaine Allison - Re: Draft Patent Application (BOC9-2003-0069; 6169-440)

From: "Bill H Hilf" <billhlf@us.ibm.com>
To: "Kevin T. Cuenot" <KCuenot@Akerman.com>
Date: 11/29/2003 12:07 PM
Subject: Re: Draft Patent Application (BOC9-2003-0069; 6169-440)
CC: "Alaine Allison" <AAllison@Akerman.com>, "Craig Swearingen" <swearing@us.ibm.com>, "Elaine Venturelli" <eventure@us.ibm.com>, "Melanie Esquivel" <esquim@us.ibm.com>, "Neil Katz" <nkatz@us.ibm.com>, "Tom Creamer" <cream@us.ibm.com>

Here are my edits - (See attached file: hilfedit 6169-440 Patent Application.DOC)

Bill Hilf
billhlf@us.ibm.com
office - 714 438 5319 cell - 562 587 0132

"Kevin T. Cuenot"
<KCuenot@Akerman.com> To: Bill H Hilf/Los Angeles/IBM@IBMUS, Tom Creamer/Fort
Lauderdale/IBM@IBMUS,
com> Neil Katz/Fort Lauderdale/IBM@IBMUS, Craig
Swearingen/Austin/IBM@IBMUS
cc: "Alaine Allison" <AAllison@Akerman.com>, Melanie Esquivel/Boca
11/29/2003 08:02 AM Raton/Contr/IBM@ibmus, Elaine Venturelli/Boca Raton/IBM@IBMUS
Subject: Draft Patent Application (BOC9-2003-0069; 6169-440)

RE: Draft Patent Application for METHOD, SYSTEM, AND APPARATUS FOR
GENERATING WEBLOGS FROM INTERACTIVE COMMUNICATION SOFTWARE
IBM Docket No. BOC9-2003-0069; Our Reference No. 6169-440

Dear Inventors:

Attached please find a draft of a patent application and associated drawings for your review in the above-identified matter. Please review the application carefully to ensure that the description of the invention accurately recites all of the invention's characteristics in the broadest possible manner, while also explaining, in detail, the preferred embodiment of the invention. The drawings should also be reviewed to confirm that they accurately depict the various details of the invention as you and your co-inventors understand them.

Importantly, please ensure that each inventor named on the cover sheet of the patent application has contributed to the conception of your invention as described in at least one of these claims. If, for some reason we have neglected to list an inventor who has contributed to the conception of subject matter described in a claim, please so advise us immediately.

Once you have reviewed the draft application, please forward your comments and/or any suggestions you may have.

Please keep in mind that we have been asked by the IP Law Department to file the referenced patent application in the U.S. Patent and Trademark Office on or December 15, 2003, and as such, would appreciate your prompt attention to this request.

Very truly yours,

AKERMAN SENTERFITT

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West Palm Beach, FL 33401
(561) 671-3658 (Phone)
(561) 659-6313 (Fax)
E-Mail: kcuenot@akerman.com

6169-440.zip has been removed from this note on November 29, 2003 by
Bill H Hilf

EXHIBIT "E"

Alaine Allison - IBM Docket BOC9-2003-0069 / Our Docket 6169-440

From: Alaine Allison
To: creamer@us.ibm.com; Hilf, Bill H.; nkatz@us.ibm.com; swearing@us.ibm.com
Date: 12/2/2003 5:25 PM
Subject: IBM Docket BOC9-2003-0069 / Our Docket 6169-440
CC: Cuenot, Kevin T.; Esquivel, Melanie; eventure@us.ibm.com

RE: Final Draft Patent Application for
METHOD, SYSTEM, AND APPARATUS FOR GENERATING WEBLOGS FROM
INTERACTIVE COMMUNICATION CLIENT SOFTWARE
IBM Docket No. BOC9-2003-0069; Our Docket No. 6169-440

Dear Inventors:

Enclosed please find for execution a final draft of the above-identified patent application, a REDLINED version of the patent application which reflects the requested revisions, Drawings, the Declaration and Power of Attorney, the Assignment, and the Oath and Assignment for the Republic of China.

After your review of the revised application, if the patent application accurately recites all of the invention's characteristics, if

- 1) MR. HILF could please print out the formal documents, sign where indicated then send them via overnight to MR. SWEARINGEN in Austin.
- 2) Then if MR. SWEARINGEN would sign where indicated and then send the original documents to Melanie Esquivel in Boca Raton, she can have Mr. Creamer and Mr. Katz sign and date where indicated. Ms. Esquivel will then fax the formal documents to our attention for filing.

Please keep in mind that we have been asked by the IP Law Department to file the referenced patent application in the U.S. Patent and Trademark Office on or before December 15, 2003, and as such, would appreciate your prompt attention to this request.

Please feel free to contact Mr. Cuenot or myself should you have any questions or comments.

Very truly yours,

AKERMAN SENTERFITT

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Sent on Mr. Cuenot's behalf to avoid delay

Alaine Allison
Secretary to Kevin T. Cuenot, Esquire
and Brian K. Buchheit, Esquire
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